

NOTICE: THIS DECISION DOES NOT CREATE LEGAL PRECEDENT AND
MAY NOT BE CITED EXCEPT AS AUTHORIZED BY APPLICABLE RULES.
See Ariz. R. Supreme Court 111(c); ARCAP 28(c); Ariz. R. Crim. P. 31.24

FILED BY CLERK

APR 21 2010

COURT OF APPEALS
DIVISION TWO

IN THE COURT OF APPEALS
STATE OF ARIZONA
DIVISION TWO

IN RE LAWRENCE I.)	2 CA-JV 2010-0014
)	DEPARTMENT A
)	
)	<u>MEMORANDUM DECISION</u>
)	Not for Publication
)	Rule 28, Rules of Civil
)	Appellate Procedure

APPEAL FROM THE SUPERIOR COURT OF PIMA COUNTY

Cause No. J-12940403

Honorable Suzanna S. Cuneo, Judge Pro Tempore

AFFIRMED

Salvatore Nuccio

Tucson
Attorney for Minor

ESPINOSA, Presiding Judge.

¶1 Between April and December, 2009, the county attorney filed three delinquency petitions alleging that appellant Lawrence I. had committed various felony offenses. Pursuant to a plea agreement, Lawrence admitted responsibility for one count

alleged in each petition, and he was adjudicated delinquent for aggravated assault against a peace officer, possession of marijuana, and possession of marijuana for sale. The record reflects the juvenile court considered the available alternatives to commitment and Lawrence's individual circumstances before reaching its disposition decision. The court found Lawrence, who was seventeen at the time of the disposition hearing, was "a serious felony offender with multiple felonies involving a serious risk to the community." It further found he had failed to participate in the "extensive services" that had been offered to him through the probation department and that his family "d[id] not support . . . his rehabilitation."¹ Thus, the court concluded Lawrence "remain[ed] an extreme threat to the community" and ordered him committed to the Arizona Department of Juvenile Corrections until his eighteenth birthday.

¶2 Lawrence appealed, and counsel filed a brief citing *Anders v. California*, 386 U.S. 738 (1967), and *State v. Leon*, 104 Ariz. 297, 451 P.2d 878 (1969), which also apply to delinquency proceedings. See *In re Maricopa County Juv. Action No. JV-117258*, 163 Ariz. 484, 486, 788 P.2d 1235, 1237 (App. 1989). Counsel has raised no arguable issues and, pursuant to our obligation under *Anders*, we have reviewed the

¹According to the available record, Lawrence's first delinquency adjudication occurred in 2007, when he was fourteen years old. Lawrence was placed on probation and subsequently was the subject of multiple delinquency petitions and petitions to revoke probation before the petitions at issue here were filed. In September 2008, Lawrence had been placed on Juvenile Intensive Probation supervision following his adjudication for prohibited possession of a deadly weapon and possession of marijuana.

record in its entirety and have found no error warranting reversal. The juvenile court's adjudication and disposition orders are therefore affirmed.

/s/ Philip G. Espinosa

PHILIP G. ESPINOSA, Presiding Judge

CONCURRING:

/s/ Joseph W. Howard

JOSEPH W. HOWARD, Chief Judge

/s/ Virginia C. Kelly

VIRGINIA C. KELLY, Judge